

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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WINIFRED MACHEDA and  
RICHARD MACHEDA,

Plaintiffs,

vs.

CIVIL NO. 5:04-cv-325

HOUSEHOLD FINANCE REALTY  
CORPORATION,

Defendant.

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Appearances:

Of Counsel:

For Plaintiff:

OFFICE OF RONALD L. VANNORSTRAND  
201 East Jefferson Street  
Century Plaza, Suite 530  
Syracuse, New York 13202

Ronald L. VanNorstrand, Esq.

For Defendant:

PHILLIPS, LYTLE LAW FIRM  
3400 HSBC Center  
Buffalo, New York 14203-2887

Preston L. Zarlock, Esq.

Glenn T. Suddaby, U.S. District Judge

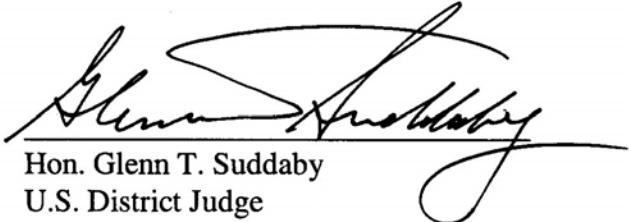
**JUDGMENT DISMISSING ACTION BY REASON OF SETTLEMENT**

The Court having facilitated extensive settlement negotiations on 1/15/09 with counsel to the parties in this action, and the Court having been advised by counsel that the parties in this action have entered into an agreement in settlement of all claims in this action, and that they reasonably anticipate finalizing their agreement shortly, following which this action will be discontinued, with prejudic, by stipulation pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure. Based upon this development, I find that it is not necessary for this action to remain on the calendar of the Court. It is therefore hereby

**ORDERED** that this action is **DISMISSED** in its entirety **without prejudice** pursuant to the procedure as set forth in L.R. 68.2(a) of the Local Rules of this court. This judgment is issued without prejudice to the right of the parties to secure reinstatement of the case within thirty (30) days after the date of this judgment by making a showing that the settlement was not, in fact, consummated; and in the event that no request is made for reinstatement within thirty (30) days of the date of this judgment, the dismissal of this case shall thereafter be **with prejudice**; and it is further

**ORDERED** that the Clerk shall serve copies of this Judgment upon the attorneys for the parties appearing in this action.

Dated: January 16, 2009  
Syracuse , New York



Hon. Glenn T. Suddaby  
U.S. District Judge